

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

JULY 14 2005 P 251  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

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TEX MEX ENTERPRISE, INC. )  
Plaintiff, )  
v. ) Civil Action No. 05 10518 RCL  
ALL-PRO CLEANING SYSTEMS, INC., )  
Defendant. )

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**DEFENDANT'S ASSENTED-TO MOTION FOR ORDER STAYING FILING OF  
PLEADING OR OTHER RESPONSE TO COMPLAINT PENDING FURTHER ORDER  
OF COURT**

Pursuant to Fed. R. Civ. P. 6(a), defendant respectfully moves the court for an order staying the time within which it must plead or otherwise respond with respect to the Complaint pending further order of this court or, in the event that the Parties' Joint Motion to Transfer filed herewith is allowed, pending further order of the transferee court. The grounds for this motion are that the joint motion to transfer is pending; that venue in this court is improper and that there is a valid basis for transfer of venue; and that defendant should not be obligated to plead or respond until the determination of venue has been made. Plaintiff has assented to this motion.

ASSENTED-TO

TEX MEX ENTERPRISE, INC.  
By its attorneys,

*Samson Mparaganda (JP)*  
Samson Mparaganda  
MPARAGANDA & ASSOCIATES  
15 Alpine Lane, Suite 2  
Chelmsford, MA 01824  
(978) 256-9152

ALL-PRO CLEANING SYSTEMS, INC.  
By its attorneys,

*[Signature]*  
John Foskett, BBO No. 175540  
DEUTSCH WILLIAMS BROOKS  
DERENSIS & HOLLAND, P.C.  
99 Summer Street  
Boston, MA 02110-1213  
(617) 951-2300

J. Eric Vander Arend  
GESSLER, HUGHES, SOCOL, PIERS,  
RESNICK & DYM, LTD.  
70 West Madison Street  
Suite 4000  
Chicago, IL 60602

Date: April 14, 2005

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8715/00

*[Signature]*  
**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above  
document was served upon the attorney of record for each  
party by first-class mail on this date  
*[Signature]*